

The Morehead City Planning Board conducted a regularly scheduled meeting on Tuesday, February 15, 2011, in the Municipal Building Auditorium, 202 South Eighth Street, Morehead City, NC, at 5:30 p.m. The following people were present:

MEMBERS: Chairman Bill Taylor, John Creech, Curtis Fleshman, Corinne Geer, Jackie Maucher, Gordy Patrick, and Gordon Thayer

ABSENT: None

Others present: Planning Director Linda Staab, Planner Sandi Watkins, Secretary Jeannie Vaughan, John Maucher, Carteret County News-Times Reporter Mike Shutak, Janet Hill, Gayle Troyer, Rebecca Marson, Michael Lupton, Attorney Jane Gordon, Christopher and Sloan Freeman, Aron Lemble, Commissioner David Horton, and Commissioner Demus Thompson.

Chairman Bill Taylor called the meeting to order and delivered the invocation.

The roll was called and all members were present.

Chairman Bill Taylor led the Pledge of Allegiance.

MINUTES: January 18, 2011: Jackie Maucher made **MOTION**, seconded by Gordon Thayer, to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A. Request submitted by Patrick and Lynn Mann, on behalf of Gayle Troyer, to rezone 303 Maple Lane from OP (Office and Professional) to R10 (Single-Family Residential).

Rezoning Request from Patrick and Lynn Mann, on behalf of Gayle Troyer, to rezone Tax PIN # 637615534922000 located at 303 Maple Lane from OP [Office and Professional] to R10 [Single-Family Residential] - Flood Zone: X

The applicant has submitted a request to rezone approximately 0.3 acres located at 303 Maple Lane from OP [Office and Professional] to R10 [Single-Family Residential]. The zoning classification of surrounding properties includes R10 to the west and to the north across Elm Street, OP to the south and across Maple Lane to the east, and R15M across Maple Lane to the east. Surrounding development/land use includes vacant property across Elm Street to the north, an office to the south, medical offices across Maple Lane to the east, and a single family residence to the west. The parcel is located in the corporate limits.

The property is located in Neighborhood 4 of the CAMA Land Use Plan and is classified as High Density Residential. The proposal does not appear to conflict with any policies of the Land Use Plan.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for March 8, 2011. The property has been posted.

Planner Sandi Watkins introduced the request.

Gayle Troyer, the property owner, spoke in support of the rezoning request. She is in the process of selling the property to Patrick and Lynn Mann who are having difficulty obtaining a residential mortgage loan because the property is classified by the Town as nonconforming. The Mann's intend to use the property as a residential dwelling and therefore a residential zoning classification would be appropriate for the property.

Corinne Geer expressed her opposition to the request by saying that rezoning to R10 would be "spot zoning." Planning Director Linda Staab responded by saying that there is already residential zoning in the immediate area and therefore it would not be "spot zoning."

Jackie Maucher made **MOTION**, seconded by Curtis Fleshman, to recommend approval of the rezoning request. The motion carried 6 to 1 with Corinne Geer opposing.

B. Request submitted by Rebecca Marson to amend the Unified Development Ordinance Section 11-1 Table of Permissible Uses to allow "Recreation use, indoor" as a special-use in the IP (Port-Industrial) district.

Request submitted by Rebecca Marson to amend Article 11 of the Unified Development Ordinance to allow "Recreation use, indoor" as a special use in the IP (Port-Industrial) district

A request has been submitted by Ms. Marson to amend Article 11-1 to include "Recreation use, indoor" as a special use in the IP district. The use is currently permitted in the OP (Office and Professional), MA (Medical Arts), CD (Downtown Commercial), DB (Downtown Business), and CH (Highway Commercial) districts and is allowed as a special use in the CN (Commercial Neighborhood) district.

Article 11-1 Table of Permissible Uses

<i>Use/District</i>	<i>(definition)</i>	R5	R5S	R7	R10	R15	R15M	R15SM	R20	RMF	O&P	PD	MA	CD	CM	DB	CN	CH	CS	IU	IP	FP	IC
Recreation use, indoor	Yes										P		P	P		P	S	P			S		

Planning Director Linda Staab introduced the request.

Attorney Jane Gordon of Kirkman Whitford Brady & Berryman P.A. spoke on behalf of the applicant. The applicant wishes to move her current gymnastics business off of Little Nine Road to an empty building on Greenfield Drive which is zoned IP. The Planning Board and Council would need to approve the ordinance amendment and then Ms. Marson can request a special-use permit from the Board of Adjustment to allow the move.

Sloan Freeman who owns the neighboring property at 310 Greenfield Drive spoke in support of the request.

Gordon Thayer made **MOTION**, seconded by Gordy Patrick, to recommend approval of the ordinance amendment. The motion carried unanimously.

C. Request submitted by Christopher Freeman, Geodynamics LLC, for an alternative screening for property located at 310 Greenfield Drive per Section 15-1.5.2 of the Unified Development Ordinance.

Request from Christopher Freeman (Geodynamics LLC) for an alternative screening for 310 Greenfield Drive per Section 15-1.5.2 of the Unified Development Ordinance

Mr. Freeman has submitted an alternative screen request for an industrially zoned lot at Lot 3 in the Crystal Coast Business Park. His business, Geodynamics, is classified as a 'research facility', and the property is zoned IP (Port-Industrial). A building permit was issued to construct a building to house his business in October of 2010 and the site is currently under construction.

According to the Unified Development Ordinance, a Screen "C" is required between properties zoned IP and R15M. However, the UDO also provides that the Planning Board may allow alternative screenings when the requirements of the landscaping ordinance are impractical and when an alternative screening is more appropriate. In order to request an alternative screen, one of the following conditions must exist:

- 1) The site involves space limitations or unusually shaped parcels;
- 2) **Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical;**
- 3) The screen is adjacent to a public alley;
- 4) **Natural vegetation or other site conditions, if undisturbed during the development process, can meet or exceed the vegetation which is required; and/or**
- 5) **Safety considerations are involved.**

Mr. Freeman's letter dated January 27, 2011, states that #s 2, 4, and 5 are applicable to this request (see attached letter). Since this is a major modification of the screen requirements, the Planning Board may approve the alternative screen upon finding that the proposal will afford a degree of enhancement, appearance, and protection of public/private investment.

Required:

6' Fence (minimum height)
78 - 6' + evergreens
26 - 6' + evergreens +
104 total trees

Proposed:

78 - 6' + evergreens
55 - 6' + assorted trees +
133 total trees

The remainder of the landscaping plan has been reviewed by the zoning officer and has been determined to meet UDO requirements. The City is also in receipt of a letter of support from Carl Garner, owner of the adjacent parcel which is zoned R15M.

Planner Sandi Watkins introduced the request.

Chris Freeman spoke and requested that the Planning Board approve his request for an alternative screen. He said that there is a drainage ditch in the exact location where a fence is required to be placed. Mr. Freeman believes that he can create a better screen with plantings and trees than with the use of a fence. The building is being constructed with environmentally-friendly features to include rain gardens and "green" building concepts.

Corinne Geer and Gordon Thayer commended the applicant on his efforts to go "green."

Gordon Thayer made **MOTION**, seconded by Corinne Geer, to approve the alternative screening request to take advantage of the natural barrier of the ditch, natural vegetation, and planting of fast-growing multiple species of evergreens. The motion carried unanimously.

REQUESTS/COMMENTS:

- A. A new industrial and construction supply store, Fastenal, is coming to Morehead City.
- B. The planning and engineering for the Harbor Master Plan have begun.
- C. The Croatan Regional Bicycle Plan is in progress.

- D.* The Pedestrian Plan was approved by Council on February 8, 2011.
- E.* The Environmental Assessment for the Cape Lookout Gateway will be released at the end of the month.
- F.* The CTP Deficiency Report will be forwarded to the Board in the next few months.
- G.* The development known as Canterbury Crossing off of McCabe Road will be coming back to the Board in the near future.

ADJOURNMENT: There being no further requests or comments, the meeting adjourned at 6:40 p.m.

Jeannie Vaughan, Secretary